

110303

13281 U.S. PTO

Atty. Dkt. No. 085747-0299

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bradford Van Wagenen et al.  
Title: HETEROPOLYCYCLIC COMPOUNDS AND THEIR USE AS  
METABOTROPIC GLUTAMATE RECEPTOR ANTAGONISTS  
Prior Appl. No.: 10/076,618, filed 02/19/2002  
Serial No.: Unassigned  
Filed: 11/03/2003

22386 U.S. PTO  
10/699563

110303

**CONTINUING PATENT APPLICATION**  
**TRANSMITTAL LETTER**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☐ Continuation ☒ Division ☐ Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☐ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

- ☒ Specification, Claim(s), and Abstract (313 pages).
- ☒ Declaration and Power of Attorney (5 pages).
- ☐ Assignment of the invention to NPS PHARMACEUTICALS, INC..
- ☒ Preliminary Amendment.
- ☒ Application Data Sheet (37 CFR 1.76).

The PTO did not receive the following  
listed item(s) Preliminary Amendment

The filing fee is calculated below:

	Claims as Filed		Included in Basic Fee		Extra Claims		Rate		Fee Totals
Basic Fee							\$770.00		\$770.00
Total	82	-	20	=	62	x	\$18.00	=	\$1,116.00
Claims:									
Independ	10	-	3	=	7	x	\$86.00	=	\$602.00
ents:									
If any Multiple Dependent Claim(s) present:						+	\$290.00	=	\$0.00
Surcharge under 37 CFR 1.16(e) for late payment of filing fee						+	\$130.00	=	\$130.00
							SUBTOTAL:	=	\$2,618.00
[ ]							Small Entity Fees Apply (subtract ½ of above):	=	\$0.00
							TOTAL FILING FEE:	=	\$2,618.00

- [ ] A check in the amount of \$0.00 to cover the filing fee is enclosed.
- [ X ] The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- [ ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 3 November 2003

By S.A. Bent

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